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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,538	03/01/2002	Sanna Jauk	297-010817-US(PAR)	2256
2512	7590	06/13/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			CHO, UN C	
			ART UNIT	PAPER NUMBER

2687

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/087,538

Applicant(s)

JAUk ET AL.

Examiner

Un C Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

2. Claim 2 is objected to because of the following informalities:

Regarding claim 2, line 14 of the claim recites, "... a User-toUser Signaling ... " it should be "... User-to-User Signaling ..." instead.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 3, 5 – 18, 20 – 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai (GB 2,333,209 A) in view of Lee (US 6,418,330 B1).

Regarding claim 1, Hirai discloses a method for displaying to the user of a mobile station an effect stimulating visual, auditory or tactile (Hirai, Page 1, lines 4 – 9), in which method: a first effect stimulating auditory or tactile sense is produced in the second mobile station using a first means of expression

comprising of a loudspeaker and/or a display (Hirai, Page 25, line 19 through Page 26, line 24), and a second effect stimulating visual, auditory or tactile sense is produced in the second mobile station using a second means of expression comprising of a loudspeaker, a sounds unit, a vibration unit, light units and/or a display which is not the same as the first means of expression (Hirai, Page 29, lines 6 – 15).

However, Hirai does not specifically disclose a connection is established between a first mobile station and a second mobile station, and speech data or message data for activating a first effect stimulating auditory or visual sense is transmitted via the connection established; wherein data compiled from sounds memory, vibration effects memory, flash patterns memory and/or graphic objects memory for activating a second effect stimulating visual, auditory or tactile sense is activated by the same connection established. In an analogous art, Lee discloses that a connection is established between a first mobile station and a second mobile station (calling party establishes communication with called party), and speech data or message data for activating a first effect stimulating auditory or visual sense is transmitted via the connection established (auditory sense is transmitted via the connection established); wherein data compiled from sounds memory (Fig. 3, 350), vibration effects memory, flash patterns memory and/or graphic objects memory for activating a second effect stimulating visual, auditory or tactile sense is activated by the same connection established (Lee, Col. 3, line 7 through Col. 5, line 36). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to provide the technique of Lee to the system of Hirai in order to provide a method for generating a ring tone selected by a caller in a radio terminal in order to more efficiently determine the identity or priority of the calling party.

Regarding claim 2, Hirai in view of Lee as applied to claim 1 above discloses a two-way telephone connection is established between the first mobile station and the second mobile station, whereby data compiled from sounds memory, vibration effects memory, flash patterns memory and/or graphic objects memory forming a first effect stimulating visual, auditory or tactile sense is transmitted via the telephone connection and data compiled from sounds memory, vibration effects memory, flash patterns memory and/or graphic objects memory forming a second effect stimulating visual, auditory or tactile sense is transmitted in a User-to-User Signaling message (to call the radio terminal, the calling party successively inputs the phone number of the radio terminal through the calling terminal and the ringtone number assigned to himself, i.e., 555-123-4567-3) associated with the telephone connection (Lee, Col. 4, lines 40 – 67).

Regarding claim 3, Hirai in view of Lee as applied to claim 1 above discloses a text message connection is established between the first mobile station and the second mobile station, and data compiled from sounds memory, vibration effects memory, flash patterns memory and/or graphic objects memory forming a first and a second effect stimulating visual, auditory or tactile sense is transmitted in a text message (Hirai, Page 25, line 11 through Page 26, line 24).

Regarding claim 5, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating visual sense transmitted is a lighting effect (Hirai, Page 30, lines 6 – 15).

Regarding claim 6, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating visual sense transmitted is a graphics effect presented on the display (Hirai, Page 26, lines 14 – 17).

Regarding claim 7, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating tactile sense transmitted is a vibration effect (Hirai, Page 30, line 22 through Page 31, line 10).

Regarding claim 8, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating auditory sense transmitted is a sound effect (Hirai, Page 29, lines 6 – 9).

Regarding claim 9, Hirai in view of Lee as applied to claim 1 above discloses a plurality of second effects stimulating visual, auditory or tactile senses are generated at the same time in the mobile station to form an effect entity combined from effects stimulating visual, auditory or tactile sense (Hirai, Page 29, lines 6 – 14).

Regarding claim 10, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating visual, auditory or tactile sense is activated so as to be automatically presented by the second means of expression comprising of a loudspeaker, a sounds unit, a vibration unit, light units and/or a display (Hirai, Page 30, lines 6 – 14).

Regarding claim 11, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating visual, auditory or tactile sense is activated so as to be presented by the second means of expression comprising of a loudspeaker, a sounds unit, a vibration unit, light units and/or a display as a consequence of certain user action (Hirai, Page 25, line 25 through Page 26, line 24).

Regarding claim 12, Hirai in view of Lee as applied to claim 1 above discloses that the second effect stimulating visual, auditory or tactile sense is activated so as to be presented by the second means of expression comprising of a loudspeaker, a sounds unit, a vibration unit, light units and/or a display when a certain start instruction is activated (Hirai, Page 25, line 25 through Page 26, line 24).

Regarding claim 13, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 14, Hirai in view of Lee as applied to claim 1 above discloses a portable terminal comprising a sounds unit, a sounds controller (Sound Control Section, Fig. 1, 5) and a sounds memory (Melody IC, Fig. 1, 7) for controlling sound effects (Hirai, Page 21, line 15 through Page 22, line 11).

Regarding claim 15, Hirai in view of Lee as applied to claim 1 above discloses a portable terminal comprising a vibration unit, a vibrator controller (Vibrator Control Section, Fig. 1, 11), and a vibration effects memory (within the

controller, not shown) for controlling vibration effects (Hirai, Page 21, line 15 through Page 22, line 11).

Regarding claim 16, Hirai in view of Lee as applied to claim 1 above discloses a portable terminal comprising light units, a lighting controller (Light Emission Control Section, Fig. 1, 9), and a flash patterns memory (within the controller, not shown) for controlling lighting effects (Hirai, Page 21, line 15 through Page 22, line 11).

Regarding claim 17, Hirai in view of Lee as applied to claim 1 above discloses a portable terminal comprising a display (Fig. 1, 4), a display controller (CPU and Backlight Control Section, Fig. 1, 2 and 13) and a graphic objects memory (CPU having a RAM Fig. 1, 2 and 3) for controlling visual effects (Hirai, Page 21, line 15 through Page 22, line 11).

Regarding claim 18, the claim is interpreted and rejected for the same reason as set forth in claim 9.

Regarding claim 20, Hirai in view of Lee as applied to claim 13 above discloses means for transmitting effects to be presented on a second mobile station (portable terminal, called party, Page 25, lines 19 – 25 through Page 26, line 4 and lines 14 – 17).

Regarding claim 21, the claim is interpreted and rejected for the same reason as set forth in claim 3.

Regarding claim 22, the claim is interpreted and rejected for the same reason as set forth in claim 2.



Regarding claim 23, the claim is interpreted and rejected for the same reason as set forth in claim 10.

Regarding claim 24, the claim is interpreted and rejected for the same reason as set forth in claim 11.

Regarding claim 25, the claim is interpreted and rejected for the same reason as set forth in claim 12.

Regarding claim 26, the claim is interpreted and rejected for the same reason as set forth in claim 2.

Regarding claim 27, the claim is interpreted and rejected for the same reason as set forth in claim 26.

5. Claims 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirai in view of Lee as applied to claim 1 above, and further in view of Armanto et al. (US 6,094,587).

Regarding claim 4, Hirai in view of Lee as applied to claim 1 above discloses transmitting data compiled from sounds memory, vibration effects memory, flash patterns memory and/or graphic objects memory forming a first and a second effect stimulating visual, auditory or tactile sense (Lee, Col. 3, line 7 through Col. 5, line 36).

However, Hirai in view of Lee as applied above does not specifically disclose that is transmitted in a MIDI (Musical Instrument Digital Interface) file. In an analogous art, Armanto discloses transmitting ringing tone converted in a

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MIDI file (Col. 12, lines 7 – 34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Armanto to the modified system of Hirai and Lee in order to provide a method for programming a ringing tone of a telephone, wherein a ringing tone is stored in a memory and reproduced by means of sound reproduction means as a response to an incoming call, and the method being wherein the ringing tone is modified into characters and sent to the telephone as characters with a ringing tone identifier identifying the transmission as a ringing tone transmission.

Regarding claim 19, Hirai in view of Lee and further in view of Armanto as applied to claim 4 above discloses means for downloading a MIDI file for accessing the effect entity (Armanto, Col. 12, lines 7 – 34).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 – 27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
SONNY TRINH  
PRIMARY EXAMINER

Un C Cho

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